

Message Text

UNCLASSIFIED

PAGE 01 STATE 206825

62

ORIGIN L-03

INFO OCT-01 ARA-16 ISO-00 CPR-02 SCA-01 TRSE-00 CIAE-00

INR-11 NSAE-00 RSC-01 SCSE-00 /035 R

DRAFTED BY L/M/SCA - HORACE F. SHAMWELL, JR.

APPROVED BY L/M/SCA - K.E. MALMBORG

S/CPR - MR. DAVIS

ARA/CAR - MR. MACKLIN

----- 079853

R 192120Z SEP 74

FM SECSTATE WASHDC

TO AMEMBASSY BRIDGETOWN

UNCLAS STATE 206825

E.O. 11652: N/A

TAGS: PFOR

SUBJECT: TAX EXEMPTION FOR RESIDENCE OF DCM -

US-UK CONSULAR CONVENTION

REF: (A) BRIDGETOWN 1417; (B) STATE 10317

1. REF (A) REQUESTED DEPARTMENT'S FURTHER ADVICE CONCERNING EFFORTS OF THE EMBASSY TO SECURE FROM GOB TAX EXEMPTION FOR RESIDENCE OF PROPERTY OCCUPIED BY DCM. NOTE WHICH EMBASSY SENT TO MINISTRY OF FOREIGN AFFAIRS STATED THAT PREVIOUS OCCUPANT OF PROPERTY WAS CONSULAR OFFICER TO WHOM GOB HAD EXTENDED EXEQUATUR AND THAT CURRENT RESIDENT WOULD "BE ENTITLED TO THE RANK OF CONSUL" AND THAT, THEREFORE, THE PROPERTY WAS ENTITLED TO A TAX EXEMPTION UNDER TERMS OF ARTICLE 12 OF US-UK CONSULAR CONVENTION.

2. ARTICLE 12 OF THE US-UK CONSULAR CONVENTION EXTENDS AN EXEMPTION FROM REAL ESTATE TAXES TO LAND AND BUILDINGS HELD BY OR ON BEHALF OF THE SENDING STATE FOR THE PURPOSE, INTER ALIA, OF A RESIDENCE FOR CONSULAR OFFICERS OR EMPLOYEES. A CONSULAR OFFICER IS DEFINED IN ARTICLE 2, PARAGRAPH 6, OF THE CONVENTION AS "ANY PERSON WHO IS GRANTED AND EXEQUATUR OF PROVISIONAL OR OTHER AUTHORIZATION BY THE APPROPRIATE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 206825

AUTHORITIES OF THE TERRITORY."

3. IT IS NOT CLEAR FROM THE INFORMATION SUPPLIED BY THE EMBASSY WHETHER THE CURRENT OCCUPANT OF THE PREMISES IN

QUESTION HAS BEEN ACCORDED OFFICIAL CONSULAR STATUS BY THE GOB. IT IS ALSO UNCLEAR FROM THE GOB RESPONSIVE NOTE AS TO THE BASIS FOR THEIR DENIAL OF EMBASSY'S REQUEST FOR A TAX EXEMPTION. EMBASSY IS THEREFORE REQUESTED TO INFORM DEPARTMENT WHETHER PRESENT DCM HAS BEEN OFFICIALLY NOTIFIED TO AND ACCEPTED BY THE GOB AS A CONSULAR, VIS A VIS DIPLOMATIC, OFFICER. IF SO, THEN THIS INFORMATION SHOULD BE RECOMMUNICATED TO THE GOB VIA A DIPLOMATIC NOTE RELYING UPON US/UK CONSULAR CONVENTION, WHICH, IN DEPARTMENT'S VIEW, GUARANTEES A TAX EXEMPTION FOR THE RESIDENTIAL PREMISES OF AN OFFICAILLY RECOGNIZED CONSULAR OFFICER. IT IS NOT REPEAT NOT DEPARTMENT'S VIEW THAT MERELY BECAUSE A DIPLOMATIC OFFICER IS ENTITLED TO THE RANK OF CONSUL BASED UPON POSITION HIS OWN GOVERNMENT, THE RECEIVING STATE MUST GRANT A TAX EXEMPTION FOR HIS RESIDENCE UNDER THE US-UK CONSULAR CONVENTION.

4. THE DEPARTMENT WILL COMMUNICATE ANY FURTHER ADVICE AS NECESSARY. KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PRIVILEGES, HOUSING, TAX RELIEF, REAL PROPERTY TAXES, DIPLOMATIC NOTES, DCM, CONSULAR PERSONNEL
Control Number: n/a
Copy: SINGLE
Draft Date: 19 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE206825
Document Source: CORE
Document Unique ID: 00
Drafter: HORACE F. SHAMWELL, JR.
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740263-1133
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740930/aaaaaznx.tel
Line Count: 84
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: (A) BRIDGETOWN 1417; (B) STATE 10317
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 07 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 JUN 2002 by maustmc>; APPROVED <31 JAN 2003 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TAX EXEMPTION FOR RESIDENCE OF DCM - US-UK CONSULAR CONVENTION
TAGS: PFOR, ABLD, US, UK, BB
To: BRIDGETOWN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005